

## **REMARKS**

### **Allowable Subject Matter**

Applicants gratefully acknowledge the Examiner's indication that the scope of claims 9-15 and 17-27 encompass allowable subject matter.

### **Amendments**

Claim 9 is amended to correct the obvious typographical error noted by the Examiner. Also, claim 9 is amended to delete the recitation of the water content of the intermediate layer being 0.15 to 0.8% by weight. See new claim 28. Claim 10 is amended to be consistent with the language of claim 9, from which it depends. These amendments do not narrow the scope of the claims. New claims 28-33 are directed to further aspects of applicants' invention. See, e.g., page 8, lines 12-14.

The specification is amended to expressly recite the subject matter presented in the original claims. No new matter has been added.

### **Rejoinder**

Claim 16 has been withdrawn from consideration as being drawn to a non-elected invention. Claim 16 is directed to a process of making a product of the elected invention. Upon determination that the product claims are allowable, it is respectfully submitted that there will be no burden in including claim 16 with the examined claims. Applicants respectfully request rejoinder of claim 16 pursuant to MPEP §821.04.

### **Rejection under 35 USC §112, second paragraph**

The claims are amended in accordance with the Examiner's suggestions. Withdrawal of the rejection under 35 USC §112 second paragraph, is respectfully requested.

### **Rejection under 35 USC §112, first paragraph**

Claims 9-15 and 17-27 are rejected as allegedly being nonenabled. This rejection is respectfully traversed.

In the rejection, it is argued that the subscript n for the derivatives of polyalkylene glycols of the formula R<sub>1</sub>-O-(R<sub>2</sub>-O)<sub>n</sub>-H, wherein R<sub>2</sub> is alkylene and R<sub>1</sub> is an organic radical, should be 6 or greater. However, the Examiner bases this assertion on portions of the

specification that refer to other polyalkylene glycols.

Derivatives of polyalkylene glycols of the formula  $R_1-O-(R_2-O)_n-H$  are monoderivatives, i.e., the H atom of one of the two OH groups is replaced by an organic radical. As specifically stated at page 6, lines 9-13: "In these monoderivatives of polyalkylene glycols, the DP of the polyalkylene glycol fraction must be at least 2."

Conversely, as recited in claim 9, when both hydrogen atoms are replace, i.e., the derivatives of polyalkyle glycols are of the formula  $R_1-O-(R_2-O)_n-R_3$ , then and n is > 5. See page 6, lines 15-18. Similarly, for non-derivatized polyalkylene glycols of the general formula  $HO-(R-O)_n-H$ , n is > 5. See claim 9 and page 5, lines 25-28.

In view of the above remarks, it is respectfully submitted that applicants' disclosure provides more than sufficient guidance to objectively enable one of ordinary skill in the art to make and use the claimed invention with no more than routine experimentation, if any. Nothing more is required under the statute. Withdrawal of the rejection under 35 USC §112, first paragraph, is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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